

ORDINANCE No. 164

AN ORDINANCE RELATING TO THE WATER AND ELECTRICAL PLANTS OF THE CITY OF LODI, CALIFORNIA; PROVIDING RULES AND REGULATIONS FOR SERVICE; ESTABLISHING PENALTIES FOR VIOLATION THEREOF AND REPEALING ANY PARTS OF ORDINANCES IN CONFLICT HEREWITH.

The City Council of the City of Lodi does ordain as follows:-

Repealing Certain Ordinances ■

Sec. 1 All ordinances ~~or~~ parts of ordinances in conflict herewith are hereby repealed.

Definitions.

Sec. 2 The word City used herein shall mean the City of Lodi, a Municipal Corporation of the State of California; and the officers and employees mentioned herein shall mean the duly elected or appointed officers and employees of the City of Lodi acting in their proper capacity as its agent.

Superintendent shall mean the person in charge of the City Water ~~and Electric~~ systems.

Service shall mean the supplying of water or electric energy.

Water Tap shall mean all cocks, pipes, and fittings used to ~~connect the~~ consumers private water system to the water mains of the City.

Electric Connections shall mean all wires, insulators, conduits fuse blocks, fuses and switches used to connect the consumers private electric wiring system to the electric wiring system of the City, ~~up to and including the~~ meter.

Establishment of Service.

Sec. 3 All applications ~~for~~ beginning, changing or discontinuing water or electric service shall be made to the City Clerk in his office at the City Hall on forms provided by him and he shall issue all orders for the beginning of service, ~~changes~~ therein and discontinuance thereof. No service for either water ~~or~~ electricity shall be turned on until the applicant shall have established credit in the manner next herein provided: -

(a) By making a cash deposit of \$ 3.00 to guarantee payment of water bills and \$ 3.00 on electric bills incurred by him, or, when both services are requested at the same address, a combined deposit of \$ 6.00; and on other than domestic service a deposit of not to exceed twice the average estimated monthly bills (to be used at the place served) such estimate to be for both water bills and electric bills (to be used in such place) and such estimate to be made by the City Clerk of said City; provided however that if said estimate requires a deposit of over \$ 100.00 said City Clerk may accept in lieu of such deposit, a bond in double the amount of such

estimate conditional for the payment to said City of all bills for any such service (including both water and electricity) which ~~way~~ be incurred by said applicant, which bond shall be signed by two sufficient sureties (both of whom shall be residents and property owners within the corporate limits of the City of Lodi) or by a good and sufficient surety company authorized to do business in this state, and which bond shall, before it is accepted by the said Clerk, be approved by the Mayor of said City;

(b) If applicant is the owner of real estate in the City of Lodi, by the signing of a contract for either or both of said services;

(c) If applicant has been a customer of the City for a period of 12 consecutive months or more and has paid bills promptly ~~(under the regulations provided herein)~~ by the signing of a contract similar to that provided in (b) above.

Cash deposits as above required shall be held by the City until service is ordered discontinued by the customer, when the same will be returned upon application, less any charges due the City, or, if bills are paid promptly over a period of 12 consecutive months, deposit will be returned upon application therefore accompanied by the original deposit receipt. Deposit receipts are not assignable.

Sec. 4 All bills for water and electricity are due and payable at the office of the City Clerk in the City Hall on and after the first day of the month next succeeding the month in which they are incurred, excepting closing bills which are due on the date on which discontinuance of service is requested. Bills are delinquent after 5 o'clock P.M. on the tenth day of the month, provided that, should the tenth day fall upon a holiday, then bills will become delinquent after 5 o'clock P.M. of the next business-day following.

To each bill for water and to each bill for electricity unpaid on the tenth day of the month as aforesaid, shall be added a penalty charge of ten cents (10¢), and, should said bills remain unpaid after the close of business on the 20th day of the same month, service shall be discontinued after written notice has been mailed or left at the address of the delinquent customer.

Immediately after the close of business on the 10th day of the month as above, the City Clerk shall mail notices of delinquency to all delinquent customers and immediately after the 20th day of the month, he shall mail notices that service may be discontinued without further notice. A copy of the list last named shall be furnished to the Superintendent of Public Utilities, who shall, between the 25th and last days of the month, shut off all water and electric services unpaid. On the first meeting date of the City Council thereafter, the City Clerk shall make written report of all services unpaid but not turned off. Service may be discontinued for non-payment of bills incurred at a previous location provided said bill is not paid within thirty days after service has begun at a new location.

On the twentieth day of each month the City Clerk shall transmit to the Superintendent a list of all services for which payment has not been received, except that for reasons that he believes to be sufficient he may withhold certain ones from the list and transmit this separate list directly to the City Council at their next regular meeting, stating his reasons therefor.

Payment of bills shall be made in cash and if payment is made by check, acceptance of the check is not a payment of the bill unless the same is accepted by the bank drawn on. Return of check by the bank for any reason that would make it non-negotiable will subject the bill to the same penalties as above provided for delinquent bills.

Water and electric services in use at the time this ordinance takes effect shall be continued in effect and shall be turned off on removal of the customer. Service for new occupants shall then be turned on only after the provisions of Section 3 have been complied with.

When service is rendered for a period of less than one month then the flat rate charges shall be charged, pro rata for the time services were rendered, except that in case of discontinuance for delinquency no deduction shall be made unless the regular restoration charge is paid.

When service has been discontinued on application a charge of seventy-five cents shall be made to restore electric service and similarly a charge of one dollar and fifty cents shall be made to restore water service.

*Amended by  
Ord. # 181*

#### Of Service Connections.

Sec. 5 No person except a duly authorized employee of the City shall make any connection to the water or electric lines of the City. The cost of tapping water mains and of bringing water service to a point one foot inside the property line shall be born by the owner of the premises, likewise, the connecting of the premises to the City power mains for electricity shall be paid by the person ordering same.

Water taps and electric connections shall be made only by the duly authorized agents of the City, and the applicant shall pay for the same as follows:

3/4" water tap on 2" water main \$6.00  
3/4" water tap on larger water main \$7.50.

All other water taps than above shall be charged at the cost of making same together with cost of removing and replacing any pavement that may be necessary.

On residences, the charge for connecting electric service shall be \$3.00 and on places other than single family dwellings, the charge shall be the actual cost of running the service. Tap and connection charges are due on completion of the work and payment therefor may be exacted before service is turned on.

The curb stops for water and the connections to electric wires at the meter are for City use only and no person shall turn on or off the same unless he be a City employee. The City reserves the right to discontinue service to any one tampering with any water or power lines, connections or meters of the City or to any location where any of the consumers lines, appliances or other apparatus shall be unsafe or to protect itself against abuse or fraud.

## Multiple Water Connections.

Sec. 6 When more than one flat, apartment, building, or premises is supplied through one water tap the charge shall be by meter or the water service shall be to one applicant only and the flat rates be charged in full for all premises connected with the water supply and capable of receiving water service.

~~When more than one building is supplied by a single tap or when, to obtain advantage of a lower water rate, it is desired to discontinue service to a flat, apartment or separate dwelling on the same lot so served, then each branch service pipe shall be supplied with a separate shut-off cock constructed so that the same may be closed and sealed with a City seal. The said shut-off cock shall be easily accessible to the City tapper and when the same is sealed by him, no person shall break the seal or open the cock. A broken seal shall be prima facie evidence that the service is in use and shall be charged for accordingly.~~

Sec. 7 No plumber shall leave the water turned on at newly erected buildings unless he has knowledge that the service is on by consent of the City nor shall he connect or reconnect any service found shut off at the service cock.

Sec. 8 Duly authorized employees of the City shall have the right of access to any premises where water or electricity is used at reasonable hours for the purpose of inspection, and it is hereby provided that if any person, firm or corporation should at any time fail or refuse to permit any of the employees of said City to enter upon any premises (in the possession or under the control of such person, firm or corporation) for the purpose of making and to make such inspection of any water connections, electric connections, pipes, taps, apparatus or equipment, then, and in that event the Superintendent shall have the right forthwith or at any time thereafter to discontinue and disconnect any such water or electric service or both.

## Fire Alarms.

Sec. 9 In case of alarm of fire, all faucets and other water valves on consumers premises shall be immediately turned off and not opened until the alarm shall have sounded "fire out."

## Repair of Connections,

Sec. 10 The owner or occupants of premises where water or electricity is consumed must keep all service pipes, valves, connections and other appliances in good repair at all times and the City will not be liable for any damage occasioned by broken pipes, wires, switches or other apparatus within the consumers premises or under his control.

Sec. 11 No person shall supply water or electricity from his own service to any other premises except that at which the service contract covers.

Sec. 12 The City reserves the right to limit the amount of water to any consumer or to different parts of the City in rotation should occasion so demand and shall not be liable for any damage caused by temporary discontinuance of service while making repairs or replacements.

Sec. 13. Waste of water is hereby prohibited, and any consumer who allows waste to continue after notice by the City shall be subject to an increase of 50 per cent in his water rate as a penalty, and the City Clerk shall enter such charge on notification by the Superintendent that waste exists, and said increase of rate shall continue for ninety days after said waste has ceased. Waste under this section means allowing water to escape from the water supply at the rate of one quart per hour from any leaky, worn or broken faucets, valves, pipes or fixtures, or permitting water to run from hose, hose nozzle, valve, fountain or sprinklers for more than thirty minutes consecutively in the same place. L

Sec. 14. Should the applicant desire a water meter installed on his water service he shall pay the cost of same together with the cost of installation but if the City desires to meter the water service to any customer the City shall bear the expense incident thereto.

All electric service shall be metered at the expense of the City except that Maximum demand attachments to the meters shall be charged at cost to the applicant for same.

Sec. 15 Any violation of the rules and regulations of this ordinance is hereby declared to be a misdemeanor and upon conviction thereof the offender shall be fined not less than one dollar and not more than one hundred dollars.

Approved and signed this 4th day of June, 1928

W. A. SPOONER, Mayor.

The foregoing Ordinance No. 164 passed, adopted and approved by the City Council June 4th., 1928.

J. F. BLAKELY, City Clerk.